



EXPRESS MAIL LABEL NO.: EV 333 489 593 US

PATENT

Attorney Docket No. 29912-704.201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Adams et al.)	
)	Art Unit: 3732
Application No.: 10/003,910)	
)	Examiner: S. Getzow
Filed: November 1, 2001)	
)	
Title: FOCUSED COMPRESSION MITRAL)	
VALVE DEVICE AND METHOD)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined

in §1.56.

04/07/2004 FFANAEIA 00000114 232415 10003910

01 FC:1806 180.00 DA

2757385_1.DOC
Attorney Docket No. 29912-704.201

Appln. No. 10/003,910

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
 - ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
 - ☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
 - ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
 - ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
 - B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
 - C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ Copies of each of the references listed on the attached Forms PTO-1449 are enclosed herewith. Due to the voluminous nature of the references, each reference is provided in PDF format on the attached CD ROM, clearly titled by publication number or author.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references, and the likelihood that these references are available to the Examiner in the file history of the parent application (Serial No.), copies are not enclosed herewith.
 - ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

- ☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).
- ☒ There are no listed references which are not in the English language.
- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.
- ☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.29912-704.201).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: _____

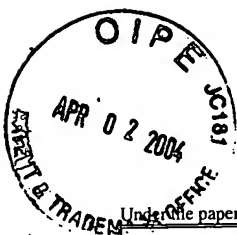
4/2/01

By: _____



James R. Shay, Reg. No. 32,062

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(650) 493-9300
Customer No. 021971



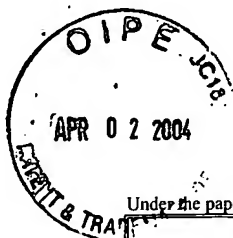
Under the paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application No.	10/003,910
				Filing Date	November 1, 2001
				First Named Inventor	Adams et al.
				Art Unit	3762
				Examiner Name	S. Getzow
Sheet	1	of	4	Attorney Docket No. 29912-704.201	

U.S. PATENT DOCUMENTS					
Examiner's Initials	Cite No. ¹	Document No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-2001/0044568-A1	07/19/2001	Langberg et al.	
		US-2001/0049558-A1	12/06/2001	Liddicoat et al.	
		US-2002/0016628-A1	02/07/2002	Langberg et al.	
		US-2002/0035361-A1	03/21/2002	Houser et al.	
		US-2002/0042621-A1	04/11/2002	Liddicoat et al.	
		US-2002/0042651-A1	04/11/2002	Liddicoat et al.	
		US-2002/0049468-A1	04/25/2002	Streeter et al.	
		US-2002/0055774-A1	05/09/2002	Liddicoat	
		US-2002/0065554-A1	05/30/2002	Streeter	
		US-2002/0087173-A1	07/04/2002	Alferness et al.	
		US-2002/0095167-A1	07/18/2002	Liddicoat et al.	
		US-2002/0103532-A1	01/30/2001	Langberg et al.	
		US-2002/0103533-A1	08/01/2002	Langberg et al.	
		US-2002/0138044-A1	09/26/2002	Streeter et al.	
		US-2002/0169502-A1	11/14/2002	Mathis	
		US-2002/0169504-A1	11/14/2002	Alferness et al.	
		US-2003/0018358-A1	01/23/2003	Saadat	
		US-2003/0069636-A1	04/10/2003	Solem et al.	
		US-2003/0078465-A1	04/24/2003	Pai et al.	
		US-2003/0078654-A1	04/24/2003	Taylor et al.	
		US-2003/0083538-A1	05/01/2003	Adams et al.	
		US-2003/0105520-A1	06/05/2003	Alferness et al.	
		US-2003/0130731-A1	07/10/2003	Vidlund et al.	
		US-2003/0135267-A1	07/17/2003	Solem et al.	
		US-2003/0144697-A1	07/31/2003	Mathis et al.	
EXAMINER SIGNATURE				DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional) 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. Department of Commerce

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Sheet	2	of	4	Attorney Docket No.	29912-704.201

U.S. PATENT DOCUMENTS					
Examiner's Initials	Cite No. ¹	Document No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-2003/0171776-A1	09/11/2003	Adams et al.	
		US-2003/0171806-A1	09/11/2003	Mathis et al.	
		US-2003/0212453-A1	11/13/2003	Mathis et al.	
		US-4,055,861	11/01/1977	Carpentier et al.	
		US-4,164,046	08/14/1979	Cooley	
		US-4,485,816	12/04/1984	Krumme	
		US-4,550,870	11/05/1985	Krumme et al.	
		US-4,830,023	05/16/1989	de Toledo et al.	
		US-5,061,277	10/29/1991	Carpentier et al.	
		US-5,250,071	10/05/1993	Palermo	
		US-5,261,916	11/16/1993	Engelson	
		US-5,265,601	11/30/1993	Mehra	
		US-5,350,420	09/27/1994	Cosgrove et al.	
		US-5,514,161	05/07/1996	Limousin	
		US-5,554,177	09/10/1996	Kieval et al.	
		US-5,562,698	10/08/1996	Parker	
		US-5,584,867	12/17/1996	Limousin et al.	
		US-5,601,600	02/11/1997	Ton	
		US-5,733,325	03/31/1998	Robinson et al.	
		US-5,824,071	10/20/1998	Nelson et al.	
		US-5,891,193	04/06/1999	Robinson et al.	
		US-5,895,391	04/20/1999	Farnholtz	
		US-5,908,404	06/01/1999	Elliott	
		US-5,935,161	08/10/1999	Robinson et al.	
		US-5,961,545	10/05/1999	Lentz et al.	
EXAMINER SIGNATURE			DATE CONSIDERED		

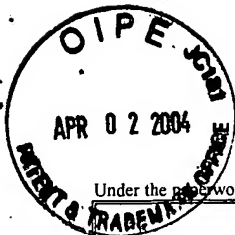
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Attorney Docket No. 29912-704.201

Appln. No. 10/003,910



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U.S. Patent and Trademark Office: U.S. Department of Commerce

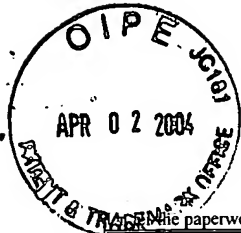
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				Examiner Name	S. Getzow
Sheet	3	Of	4	Attorney Docket No. 29912-704.201	

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		Number-Kind Code ² (if known)			
		US-5,984,944	11/16/1999	Forber	
		US-6,027,517	02/22/2000	Crocker et al.	
		US-6,077,295	06/20/2000	Limon et al.	
		US-6,077,297	06/20/2000	Robinson et al.	
		US-6,099,549	08/08/2000	Bosma et al.	
		US-6,099,552	08/08/2000	Adams	
		US-6,129,755	10/10/2000	Mathis et al.	
		US-6,190,406-B1	02/20/2001	Duerig et al.	
		US-6,275,730-B1	08/14/2001	KenKnight et al.	
		US-6,342,067-B1	01/29/2002	Mathis et al.	
		US-6,352,553-B1	03/05/2002	van der Burg et al.	
		US-6,352,561-B1	03/05/2002	Leopold et al.	
		US-6,395,017-B1	05/28/2002	Dwyer et al.	
		US-6,402,781-B1	06/11/2002	Langberg et al.	
		US-6,419,696-B1	07/16/2002	Ortiz et al.	
		US-6,442,427-B1	08/27/2002	Boute et al.	
		US-6,503,271-B2	01/07/2003	Duerig et al.	
		US-6,537,314-B2	03/25/2003	Langberg et al.	
		US-6,569,198-B1	05/27/2003	Wilson et al.	
		US-6,589,208-B2	07/08/2003	Ewers et al.	
		US-6,602,288-B1	08/05/2003	Cosgrove et al.	
		US-6,602,289-B1	08/05/2003	Colvin et al.	
		US-6,623,521-B2	09/23/2003	Steinke et al.	
		US-6,626,899-B2	09/30/2003	Houser et al.	
EXAMINER SIGNATURE			DATE CONSIDERED		

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¹ Applicant's unique citation designation number (optional) ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08A (10-01)

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				Filing Date	November 1, 2001
				First Named Inventor	Adams et al.
				Art Unit	3762
				Examiner Name	S. Getzow
Sheet	4	Of	4	Attorney Docket No.	29912-704.201

FOREIGN PATENT DOCUMENTS						
Examiner's Initials	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁶
		Country Code³ - Number⁴ - Kind Code⁵ (if known)				
		WO 00/44313-A1	08/03/2000	Viacor Inc.		
		WO 00/60995-A3	10/19/2000	Evalve, Inc.		
		WO 01/00111-A1	01/04/2001	J. Solem et al.		
		WO 01/50985-A1	07/19/2001	Viacor, Inc.		
		WO 01/87180-A2	11/22/2001	B. Gaber		
		WO 02/00099-A2	01/03/2002	Viacor, Inc.		
		WO 02/01999-A2	01/10/2002	Viacor, Inc.		
		WO 02/05888-A1	01/24/2002	Viacor, Inc.		
		WO 02/19951-A1	03/14/2002	Viacor, Inc.		
		WO 02/34118-A2	05/02/2002	Viacor, Inc.		
		WO 02/47539-A2	06/20/2002	Viacor, Inc.		
		WO 02/62263-A2	08/15/2002	Viacor, Inc.		
		WO 02/62270-A1	08/15/2002	J. Solem et al.		
		WO 02/62408-A2	08/15/2002	Viacor, Inc.		
		WO 02/76284-A2	10/03/2002	Viacor, Inc.		
		WO 02/78576-A2	10/10/2002	Viacor, Inc.		
		WO 02/96275-A2	12/05/2002	Viacor, Inc.		
		WO 03/49647-A1	06/19/2003	O. Reitan		
EXAMINER SIGNATURE				DATE CONSIDERED		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional) 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

FEE TRANSMITTAL**for FY 2004**

APR 02 2004

Paid fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

See 37 C.F.R. §§ 1.27 and 1.28.

Complete if Known

Application Number	10/003,910
Filing Date	November 1, 2001
First Named Inventor	Adams et al.
Examiner Name	S. Getzow
Group/Art Unit	3762
Attorney Docket Number	29912-704.201

TOTAL AMOUNT OF PAYMENT (\$180)**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

23-2415 (Docket No. 29912-704.201)

Deposit
Account
Name

Wilson Sonsini Goodrich & Rosati

- ☒ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	770	201	385	Utility filing fee	
106	340	206	170	Design filing fee	
107	530	207	265	Plant filing fee	
108	770	208	385	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
-26** = 0	x 9	=	
Independent Claims	-4** = 0	x 43	=
Multiple Dependent			

**or number previously paid, if greater; For Reissues, see below

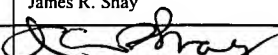
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	86	202	43	Independent claims in excess of 3
104	290	204	145	Multiple dependent claim, if not paid
109	86	209	43	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	420	216	210	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,480	218	740	Extension for reply within fourth month	
128	2,010	228	1,005	Extension for reply within fifth month	
119	330	219	165	Notice of Appeal	
120	330	220	165	Filing a brief in support of an appeal	
121	290	221	145	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,330	241	665	Petition to revive - unintentional	
142	1,330	242	665	Utility issue fee (or reissue)	
143	480	243	240	Design issue fee	
144	640	244	320	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	180
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	770	246	385	Filing a submission after final rejection (37 CFR 1.129(a))	
149	770	249	385	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify)					
Other fee (specify)					
55/110 Terminal Disclaimer					

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$180**SUBMITTED BY**

Name (Print/Type)	James R. Shay	Registration No.	32,062	Telephone	650-493-9300
Signature		Date	4/2/04	Customer No.	021971

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22213-1450

C:\nrPortb\PALIB2\TOB257458_1.DOC

Please type a plus sign (+) inside this box →



04-05-04

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<p>TRANSMITTAL FORM (to be used for all correspondence after initial filing)</p>	Application Number	10/003,910	
	Filing Date	November 1, 2001	
	First Named Inventor	Adams et al.	
	Group/Art Unit	3732	
	Examiner Name	S. Getzow	
Total Number of Pages in This Submission		Attorney Docket Number	29912-704.201

ENCLOSURES (check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	James R. Shay, Reg. No. 32,062 WILSON SONSINI GOODRICH & ROSATI		
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